

**Middlesex Borough Planning Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
September 9, 2015**

1. Call to Order

Chairperson Andy Galida called the meeting to order at 7:32p.m.

2 .Open Public Meeting Act Statement

Chairperson Galida read the Open Public Meeting Act statement.

3. Call to Order

Upon voice count the following members were present- Al Lowande, Andy Galida, Jim Green, Robert Schueler, John Sweeney, John Anello, Paul Woska and Michele Tackach.

Also in attendance were: Board Attorney, Ms. Kelly Carey
Board Planner, Mr. Paul Ricci
Board Engineer, Mr. Peter Ciliberto

5. Minutes

Member Sweeney made a motion to approve the August 20, 2015 meeting minutes, seconded by Member Lowande. Vote: Member Lowande-yes, Chairperson Galida- yes, Member Green-yes, Member Scheuler- abstain, Member Sweeney- yes, Member Anello-yes, Member Woska- yes, Member Tackach-yes. Motion passed.

6. Old Business

**P2015-08
150 Lincoln Blvd LLC
146-150 Lincoln Blvd.
Block 348 Lot 1.02 & 1.03**

Memorialize Resolution

Member Woska made a motion to approve the Resolution, seconded by Member Anello. Vote:Member Lowande-yes, Member Galida-yes, Member Green-yes, Member Schueler-abstain, Member Sweeney-yes, Member Anello-yes, Member Woska-yes, Member Tackach-abstain. Motion passed.

7. New Business

P2015-04
330 Lincoln Blvd LLC
344 Lincoln Blvd
Block 343 Lot 13

Minor site plan

Mr. Ernest Renda stated that he would be representing 330 Lincoln Blvd LLC.

Mr. Renda stated that the project entails demoing the existing dwelling on the property, paving the area and fencing the front and side of the property.

The Board started to review the waivers that were requested, Najarain requested a certified copy of the survey. Mr. Ciliberto had no objections granting the waivers that were requested.

Member Tackach made a motion to grant the waivers requested, seconded by Member Green. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-no, Member Anello-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

Ms. Carey duly swore in Mr. Jonathan Istranyi of Stonefield Engineering, 75 Orient Way, Rutherford NJ.

Mr. Istranyi stated his education and credentials.

The Board accepted Mr. Istranyi as an expert witness.

Aerial photograph taken on September 8, 2015 was entered as Exhibit A1.

Mr. Istranyi gave an overview of the site plan: front of the property faces Lincoln Blvd, located in the GB zone, railway is located to the south, businesses are located on the east and west sides of property.

A colorized depiction of the site plan was entered as Exhibit A2.

Mr. Istranyi used Exhibit A2 to show the location of the new pavement, 8ft chain link fence along the Lincoln Blvd side with fence that would overlap east side, 25 shamrock shrubs would be planted, no proposed lighting.

The Board started to review Mr. Ricci's letter dated 6/29/15.

Mr. Ricci asked if the structure being removed was residential.

Ms. Carey duly swore in Mr. Jeffery Neary, owner of 344 Lincoln Blvd.

Mr. Neary stated that it was a residence and that the employee moved out 6 months ago.

Mr. Ricci stated that comment #2 in his review letter was in reference to the site circulation and if it would be used for a parking lot for the vehicles that he had parked next door at the Napa store.

Mr. Neary stated that he has a handshake agreement with the owner next door which allows him to park his vehicles there.

The Board questioned the utility pole and the curb cuts on the property.

Member Anello questioned the racks on the western side of the property.

Mr. Neary stated that he is moving the racks to the southeast side of the property behind the garage.

Member Anello questioned the trucks being parked on a burial ground.

Mr. Renda stated that the applicant intends to investigate more and this predates his 22 years.

The Board clarified that the height of the fence would be 8ft.

The Board discussed the driveway, sidewalk and curbs and obtaining County approvals.

Member Anello stated that there was a conflict between drawings C2 and C3.

The Board questioned the impervious coverage and the utility locations on the property.

Mr. Ciliberto stated that the stone has been compacted and questioned the utilities to the back garage.

Mr. Neary stated that the sewer line has to remain and described how the utilities are laid out on the site.

The Board reviewed the paving of the site and the ordinance that states paving of a site requires site plan approval.

The Board continued with the discussion of the utilities.

Ms. Carey reviewed and clarified the changes to the plan, stating that the waivers were granted, clarifying that the chain link fence would be 8ft high, a condition of approval would be no parking in the new footprint, note would be added to the plan regarding the field, the applicant would have the plans approved by Middlesex County.

Chairperson Galida opened the meeting to the public, there being no public questions the Board continued with the application.

Member Schueler clarified that there would be no barbwire on the chain link fence.

The plans will be revised to include the comments from the County and the changes discussed at this meeting.

Chairperson Galida opened the meeting to the public, there being no public comments the Board continued with the application.

Member Schueler made a motion to approve the site plan with the changes outlined from the June 15,2015 Najarian letter, the June 29, 2015 Ricci Planning letter, having the utilities capped, having the condition that there will be no parking in the new footprint, and the title for the burial ground will be clarified, seconded by Member Tackach. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

P2015-07

Minor Site Plan

Bank of America

1285 Bound Brook Rd.

Block 65 Lot 35

Ms. Diane Hickey stated that the firm Riker Danzig is representing Bank of America for the minor site plan approval for exterior lighting upgrades.

The Board reviewed the waivers requested; Ms. Carey had no objections with the waiver for covenant and deed restrictions.

Member Lowande made a motion to grant the waivers, seconded by Member Schueler. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

Ms.Carey duly swore in James Kinonian of Stonefield Engineering, 75 Orient Way, Rutherford NJ.

Mr. Kinonian stated his education and credentials.

The Board accepted Ms. Kinonian as an expert witness.

Mr. Kinonian stated that Bank of America is in the process of upgrading the lighting at 40 branches to upgrade to newer LED fixtures with a more efficient design.

The Board reviewed the Najarian Engineering letter dated July 21, 2015.

Mr. Kinonian stated that the property is located in two zones the GB and R75 single family zone to the northern side.

Mr. Kinonian stated that sheet C2 of the site plan shows the existing conditions, the ATM location and the night drop box.

Mr. Kinonian stated that sheet C4 shows the site lighting plan with required candle foot illumination.

Mr. Kinonian stated that sheet C3 shows the security lighting plan with 3 wall packs with LED lighting, 4 new wall packs, 6 new and replaced outside lights, aerial lights,backlights.

Mr. Kinonian stated the lighting regulations prohibit flood lights.

Mr. Kinonian also stated that Bank of America is proposing a trash enclosure on the northwest side of the property.

Mr. Kinoshian reviewed the parking spaces, 24 parking spaces are provided, 2 spaces will be removed for the trash enclosure and only 12 parking spaces are required.

Mr. Kinoshian stated that Bank of America will comply with the landscape requirement and replace the shrubs.

Mr. Kinoshian stated that the dusk to dawn lighting is an improvement from what is currently in place.

Chairperson Galida opened the meeting to the public.

Angie Peen, 27 Heritage Dr., daughter of owner of 10 Garden Pl, located behind Bank of America. Ms. Peen stated that the lighting streams directly into her mother's bedroom, has had problems with the maintenance of Bank of America and has talked to the manager in the past, had questions regarding the new lighting, stated that the garbage pickup is extremely early in the morning, had concerns with the fence maintenance and the landscapers blowing leaves onto her mother's property.

Mr. Ricci confirmed the color of the lights and orientation of the lights on the building.

Chairperson Galida closed the public portion of the meeting.

Board Members discussed possible reasons that the landscaping might not be taking in the soil.

Chairperson Galida opened the meeting for public comments, there being no public comments the Board continued with the application.

Member Sweeney made a motion to approve the application with the conditions, also having the landscaping work by Bank of America reviewed by the Planner and Engineer, also granting the waiver of the lighting standard, seconded by Member Lowande. Vote: Member Lowande-yes, Chairperson Galida- yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

8.Ordinance Review

420-15 Accessory Structures

The Planning Board agreed with the Zoning Board recommendations regarding size limitations of accessory structures.

420-62 Fences

The Planning Board agreed with the Zoning Board recommendation regarding the fence Ordinance. Member Anello summarized the Zoning Board conversation regarding the changes.

420-13 Chemicals

The Planning Board agreed with the Zoning Board recommendation that this Ordinance shall remain untouched. Member Anello summarized the Zoning Board conversation regarding this conclusion.

Member Schueler made a motion accept the Zoning Board Report, seconded my Member Tackach. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler- yes, Member Sweeney-yes, Member Anello-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

Ms. Carey will send the Planning Board recommendations to the Governing Body.

9. Correspondence

None.

10. Board Member Comments

Chairperson Galida informed the Planning Board that the Zoning Board had been short members for a meeting. The situation has been corrected by the Governing Body at the last Council meeting.

Mr. Ricci gave a quick housing update to the Planning Board.

Chairperson Galida announce that the meeting scheduled for September 23, 2015 has been cancelled.

There being no further business Member Schueler made a motion to adjourn the meeting at 9:33pm,seconded by Member Tackach. Vote: All in favor. Meeting adjourned.

Secretary

Karen Wick, Planning Board Clerk